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EXAMINER	
BANTAMOI, ANTHONY	
ART UNIT	**PAPER NUMBER**
2423	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/561,898	HUTTER, INGO	
	Examiner	Art Unit	
	ANTHONY BANTAMOI	2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 January 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9, 11, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2005/0021852 to Accraie et al. (Accarie), in view of US Patent Publication 2005/0125357 to Saadat et al. (Saadat), in view of US Patent 7,412,538 to Eytchison et al. (Eytchison).

Regarding claim 1, Accarie teaches A method for controlling a first network station (figure 4, device B, & D) in a network of a first type (figure 4, label 3 (UPnP)) from a second network station (figure 4, label C) in a network of a second type (figure 4, label 2 (HAVi)), a network connection unit being provided for the connection of the two networks (figure 4, label 50 (Gateway)), the network connection unit performing a direct conversion of the control commands issued in the format of the network of the second type into control commands in the corresponding format of the network of the first type, for controlling the first network station, if the first network station to be controlled in the

network of the first type has provides a corresponding functionality (Para. 0146, entire, & (figure 6, one to one functionality conversion map), & (Para. 0103, entire)), however, Accarie fails to explicitly disclose "wherein the network connection unit performs an indirect conversion of the control commands if the first network station to be controlled does not provide the corresponding functionality, the indirect conversion being performed in such a way that a check is made to determine whether a third network station having a functionality corresponding to the command is present in the first network and is connected to the first network station to be controlled and, if so, the network connection unit converts the control commands into the corresponding format and transmits the control commands to the third network station".

However, the examiner maintains that it was well known in the art to provide "wherein the network connection unit performs an indirect conversion of the control commands if the first network station to be controlled does not provide the corresponding functionality, the indirect conversion being performed in such a way that a check is made to determine whether a third network station having a functionality corresponding to the command is present in the first network and is connected to the first network station to be controlled and, if so, the network connection unit converts the control commands into the corresponding format and transmits the control commands to the third network station", as taught by Saadat and Eytchison.

In a similar field of endeavor Saadat teaches a media center wherein commands are redirected from a PC to a STB when the PC does not have the corresponding functionality to perform the task or vice versa (Para. 0150, entire) which meets "wherein

the network connection unit performs an indirect conversion of the control commands if the first network station to be controlled does not provide the corresponding functionality, the network connection unit converts the control commands into the corresponding format and transmits the control commands to the third network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie by specifically providing "wherein the network connection unit performs an indirect conversion of the control commands if the first network station to be controlled does not provide the corresponding functionality, the network connection unit converts the control commands into the corresponding format and transmits the control commands to the a third network station", as taught by Saadat, for the purpose of providing a secured connection between devices wherein they can be controlled based on functionality from a single source.

Accarie and Saadat are silent on the indirect conversion being performed in such a way that a check is made to determine whether a third network station having a functionality corresponding to the command is present in the first network and is connected to the first network station to be controlled and, if so, the network connection unit converts the control commands into the corresponding format and transmits the control commands to the third network station.

However, the examiner maintains that it was well known in the art to provide "an indirect conversion being performed in such a way that a check is made to determine whether a another network station having a functionality corresponding to the command

is present in a network and is connected to the network station to be controlled and, if so, the network connection unit converts the control commands into the corresponding format and transmits the control commands to that network station", as taught by Eytchison.

In a similar field of endeavor Eytchison teaches a resource manager converting a command message to a device on a home network wherein a check is made to determine if the device functionality is available and connected to the network before routing the appropriate command to the network (figure 7, steps 750, 755, & 760) which meets "an indirect conversion being performed in such a way that a check is made to determine whether a another network station having a functionality corresponding to the command is present in a network and is connected to the network station to be controlled and, if so, the network connection unit converts the control commands into the corresponding format and transmits the control commands to that network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie and Saadat by specifically providing "an indirect conversion being performed in such a way that a check is made to determine whether a another network station having a functionality corresponding to the command is present in a network and is connected to the network station to be controlled and, if so, the network connection unit converts the control commands into the corresponding format and transmits the control commands to that network station", as taught by Eytchison, for the purpose of synchronizing home

electronic appliances on heterogeneous networks with guaranteed command execution at all times.

Regarding claim 2, Accarie fails to explicitly disclose "the method, wherein if the third network station does not have the corresponding functionality, a check is made to determine whether the third network station is connected to a fourth network station which has a corresponding functionality and, if so, that the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station".

However, the examiner maintains that it was well known in the art to provide "the method, wherein if the third network station does not have the corresponding functionality, a check is made to determine whether the third network station is connected to a fourth network station which has a corresponding functionality and, if so, that the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station", as taught by Saadat and Eytchison.

In a similar field of endeavor Saadat teaches a media center wherein commands are redirected from a PC to a STB when the PC does not have the corresponding functionality to perform the task or vice versa (Para. 0150, entire) which meets "the method, wherein if the third network station does not have the corresponding functionality, the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie by specifically providing "the method, wherein if the third network station does not have the corresponding functionality, the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station", as taught by Saadat, for the purpose of providing a secured connection between devices wherein they can be controlled based on functionality from a single source.

Accarie and Saadat are silent on a check is made to determine whether the third network station is connected to a fourth network station which has a corresponding functionality and, if so, the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station.

However, the examiner maintains that it was well known in the art to provide "a check is made to determine whether the third network station is connected to a fourth network station which has a corresponding functionality and, if so, the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station", as taught by Eytchison.

In a similar field of endeavor Eytchison teaches a resource manager converting a command message to a device on a home network wherein a check is made to determine if the device functionality is available and connected to the network before routing the appropriate command to the network (figure 7, steps 750, 755, & 760) which meets "a check is made to determine whether the third network station is connected to a fourth network station which has a corresponding functionality and, if so, the control

command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie and Saadat by specifically providing "a check is made to determine whether the third network station is connected to a fourth network station which has a corresponding functionality and, if so, the control command is converted into the corresponding format of the fourth network station and is transmitted to the fourth network station", as taught by Eytchison, for the purpose of synchronizing home electronic appliances on heterogeneous networks with guaranteed command execution at all times.

Regarding claim 3, Accarie teaches the method, wherein the first network station to be controlled and present in the network of the first type being a display device and the control device in the network of the second type being a TV set (Para. 0042, entire).

Regarding claim 4, Accarie teaches the method, wherein upon arrival of a control command with regard to the program setting, a check is made by the network connection unit to determine whether the display device maintains a data connection set up to a tuner device, and, if so, that the control command is converted into the a matching format of the tuner device and is transmitted to the tuner device (figure 6, mapping table, & Para. 0046 (STB DCM)).

Regarding claim 5, Accarie teaches the method, wherein upon arrival of a control command with regard to the volume setting, a check is made by the network connection unit to determine whether the display device maintains a data connection set

up to a video data source device, and, if so, whether a data connection to an audio device is furthermore set up for the video data source device, and, if so, that the control command with regard to the volume setting is converted into the a matching format of the audio device and is transmitted to the audio device (figure 6, entire, & Para. 0046 (DTV DCM)).

Regarding claim 6, Accarie teaches the method, wherein the network of the first type being a network based on the HAVi Standard, where HAVi stands for Home Audio/Video interoperability (figure 4, label 2).

Regarding claim 7, Accarie teaches the method, wherein the network of the second type being a network based on the Internet Protocol, in particular UPnP, where UPnP stands for Universal Plug and Play (figure 4, label 3).

Regarding claim 8, Accarie teaches the method, wherein a UPnP TV or media renderer the control command for a program setting is converted into the HAVi command Tuner::SelectService of a tuner FCM, where FCM stands for Functional Component Module (figure 6, entire, & Para. 0046 (STB DCM)).

Regarding claim 9, Accarie teaches the method, wherein a UPnP TV or media renderer the control command for a volume setting is converted into the HAVi command Amplifier::SetVolume of an amplifier FCM (figure 6, entire, & Para. 0046 (DTV DCM)).

Regarding claim 11, Accarie fails to explicitly disclose "the network connection unit, wherein if the further network station does not have the corresponding functionality, the further conversion means are adapted to check whether a data connection to a third network station which has a corresponding functionality is set up for the further network

station, and, if so, that the further conversion means converts the control command into the corresponding format of the third network station and transmit the control command to the third network station".

However, the examiner maintains that it was well known in the art to provide "the network connection unit, wherein if the further network station does not have the corresponding functionality, the further conversion means are adapted to check whether a data connection to a third network station which has a corresponding functionality is set up for the further network station, and, if so, that the further conversion means converts the control command into the corresponding format of the third network station and transmit the control command to the third network station", as taught by Saadat and Eytchison.

In a similar field of endeavor Saadat teaches a media center wherein commands are redirected from a PC to a STB when the PC does not have the corresponding functionality to perform the task or vice versa (Para. 0150, entire) which meets "the network connection unit, wherein if the further network station does not have the corresponding functionality, the further conversion means converts the control command into the corresponding format of the third network station and transmit the control command to the third network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie by specifically providing "the network connection unit, wherein if the further network station does not have the corresponding functionality, the further conversion means converts the control

command into the corresponding format of the third network station and transmit the control command to the third network station", as taught by Saadat, for the purpose of providing a secured connection between devices wherein they can be controlled based on functionality from a single source.

Accarie and Saadat are silent on the further conversion means are adapted to check whether a data connection to a third network station which has a corresponding functionality is set up for the further network station, and, if so, the further conversion means converts the control command into the corresponding format of the third network station and transmit the control command to the third network station.

However, the examiner maintains that it was well known in the art to provide "the further conversion means are adapted to check whether a data connection to a third network station which has a corresponding functionality is set up for the further network station, and, if so, the further conversion means converts the control command into the corresponding format of the third network station and transmit the control command to the third network station", as taught by Eytchison.

In a similar field of endeavor Eytchison teaches a resource manager converting a command message to a device on a home network wherein a check is made to determine if the device functionality is available and connected to the network before routing the appropriate command to the network (figure 7, steps 750, 755, & 760) which meets "the further conversion means are adapted to check whether a data connection to a third network station which has a corresponding functionality is set up for the further network station, and, if so, the further conversion means converts the control command

into the corresponding format of the third network station and transmit the control command to the third network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie and Saadat by specifically providing "the further conversion means are adapted to check whether a data connection to a third network station which has a corresponding functionality is set up for the further network station, and, if so, the further conversion means converts the control command into the corresponding format of the third network station and transmit the control command to the third network station", as taught by Eytchison, for the purpose of synchronizing home electronic appliances on heterogeneous networks with guaranteed command execution at all times.

Regarding claim 17, Accarie teaches the method, wherein the network of the second type being a network based on the Internet Protocol, in particular UPnP, where UPnP stands for Universal Plug and Play (figure 4, label 3).

3. Claims 10, and 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Accarie, in view Eytchison.

Regarding claim 10, A network connection unit for connecting a network of a first type to a network of a second type (figure 4, label 50 (Gateway)) having conversion means for the direct conversion of control commands in the format of one network type into the format of the other network type, wherein the connection unit has further conversion means for the indirect conversion of control commands, which are activated if the device to be controlled in the network of the first type does not have the

functionality corresponding to the control command (Para. 0146, entire, & (figure 6, one to one functionality conversion map), & (Para. 0103, entire)), however, Accarie fails to explicitly disclose "the further conversion means is adapted to check whether a data connection to a further network station which has a corresponding functionality is present for the network station to be controlled, and, if so, that the further conversion means converts the control command into the corresponding format for the further network station and transmit the control command to the further network station".

However, the examiner maintains that it was well known in the art to provide "the further conversion means is adapted to check whether a data connection to a further network station which has a corresponding functionality is present for the network station to be controlled, and, if so, that the further conversion means converts the control command into the corresponding format for the further network station and transmit the control command to the further network station", as taught by Eytchison.

In a similar field of endeavor Eytchison teaches a resource manager converting a command message to a device on a home network wherein a check is made to determine if the device functionality is available and connected to the network before routing the appropriate command to the network (figure 7, steps 750, 755, & 760) which meets "the further conversion means is adapted to check whether a data connection to a further network station which has a corresponding functionality is present for the network station to be controlled, and, if so, that the further conversion means converts the control command into the corresponding format for the further network station and transmit the control command to the further network station".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the gateway of Accarie by specifically providing "the further conversion means is adapted to check whether a data connection to a further network station which has a corresponding functionality is present for the network station to be controlled, and, if so, that the further conversion means converts the control command into the corresponding format for the further network station and transmit the control command to the further network station", as taught by Eytchison, for the purpose of synchronizing home electronic appliances on heterogeneous networks with guaranteed command execution at all times.

Regarding claim 12, Accarie teaches the network connection, wherein upon arrival of a control command with regard to the program setting from a TV set in the network of the second type, the further conversion means are adapted to check whether the display device in the network of the first type to which the control command is directed maintains a data connection set up to a tuner device, and, if so, that the further conversion means converts the control command into a matching format of the tuner device and transmit the control command to the tuner device (figure 6, mapping table, & Para 0046 (STB DCM)).

Regarding claim 13, Accarie teaches the network connection unit as claimed in claim 10, wherein upon arrival of a control command with regard to t-he a volume setting, the further conversion means are adapted to check whether the display device maintains a data connection set up to a video data source device, and, if so, whether a data connection to an audio device is furthermore set up for the video data source

device, and, if so, convert the control command with regard to the volume setting into the a matching format of the audio device and transmit the control command to the audio device (figure 6, entire, & Para. 0046 (DTV DCM)).

Regarding claim 14, Accarie teaches the connection unit, wherein the connection unit is designed for the connection of a network based on the HAVi standard, where HAVi stands for Home Audio/Video interoperability, to a network based on the Internet Protocol, in particular UPnP, where UPnP stands for Universal Plug and Play (figure 4, labels 2, & 3).

Regarding claim 15, Accarie teaches the connection unit, wherein the further conversion means converts a UPnP TV or media render control command for a program setting into the HAVi command Tuner::SelectService of a tuner FCM, where FCM stands for Functional Component Module (figure 6, entire, & Para. 0046 (STB DCM)).

Regarding claim 16, Accarie teaches the method, wherein a UPnP TV or media renderer the control command for a volume setting is converted into the HAVi command Amplifier::SetVolume of an amplifier FCM (figure 6, entire, & Para. 0046 (DTV DCM)).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on Monday - Friday 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272 7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anthony Bantamoi

Examiner
Art Unit 2623

/Anthony Bantamoi/
Examiner, Art Unit 2623

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